

**IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

USA,

Plaintiff(s),

v.

Michael Nowak,

Defendant(s).

Case No. 19 CR 669-2
Judge Edmond E. Chang

ORDER

Arraignment held on the Superseding Indictment and status hearing held. Defendant acknowledged receipt of a copy of the Superseding Indictment, waived formal reading, and entered a plea of not guilty to the Superseding Indictment. Any legal challenges to the Superseding Indictment that is not dependent on discovery shall be filed by 02/28/2020. Government's response due by 04/13/2020. Defense reply due by 05/13/2020. Defendants will be cooperating to file a joint motion with individual parts as needed. Any other Rule 12 or Rule 16 pretrial motions due by 04/24/2020. The government's response will be set at a later date. Status hearing set for 03/03/2020 at 10:00 a.m. At the next status hearing, the Court will set a trial date so that a time block is set aside; the parties shall confer on possible trial dates. The government reported that the production is now at 19.9 million pages (from the prior 17 million) and that, although documents are still provided from time to time from JP Morgan Chase, there is no specific category of records yet to be received. The defense oral motion for early return of trial subpoenas is granted equally for all parties. Pursuant to 18 U.S.C. 3161(h)(7)(A) and (B), and without objection, time is excluded from 12/05/2019 through 03/03/2020 under the Speedy Trial Act to allow counsel and defendants the time to review discovery and to file the legal-challenge motion. As stated on the record, Defendant does not need preapproval to travel within the continental United States. The government and defense attorney David Meister presented a potential dispute over the impact of Meister's former role as director of the CFTC's Enforcement Division. By 01/10/2020, the government shall file a motion to disqualify counsel (or an agreed motion of some sort) concerning Meister's continued representation. Meister's response due by 02/10/2020. The government's reply due by 02/24/2020. If Defendant disputes the motion to disqualify, then Defendant shall personally appear with counsel at the next status hearing on 03/03/2020 at 10:00 a.m., in case something along the lines of a Rule 44 colloquy is needed. After the hearing, Pretrial Services reported to the courtroom deputy that the New Jersey Pretrial Services Office will not retain Defendant's passport. So the NDIL Pretrial Service Office shall receive the passport.

(T:0:15)

Date: 12/5/2019


Edmond E. Chang
United States District Court Judge